

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:14 CR 187 JAR
	)	
RICHARD GROSS,	)	
	)	
Defendant.	)	

**GOVERNMENT'S MOTION FOR DETENTION AFTER SENTENCING**

Comes now the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Erin Granger, Assistant United States Attorney for said District, and moves this Court to detain defendant after sentencing.

The Government asserts:

1. On April 4, 2016, defendant pleaded guilty to the following offenses:
  - a. Conspiracy to Distribute or Possession with the Intent to Distribute Controlled Substances and Controlled Substance Analogues, in violation of Title 21, U.S.C., Sections 841(a)(1), 813, and 846
  - b. Conspiracy to Introduce Misbranded Drugs into Interstate Commerce, in violation of Title 21, U.S.C. Sections 331(a), 331(c), 331(k), 333(a)(2), and Title 18, U.S.C. Section 371
  - c. Conspiracy to Import Control Substances and Controlled Substance Analogues, in violation of Title 21, U.S.C. Sections 952, 960(a)(1), 960(b)(3) and 963
  - d. Conspiracy to Introduce Merchandise Imported False, Forged or Fraudulent Invoices, in violation of Title 18 U.S.C. Sections 545 and 371

2. Title 18, United States Code, Section 3143(a)(2) states:

The judicial officer shall order that a person found guilty of an offense in a case described in **subparagraph (A), (B), or (C) of subsection (f)(1) of section 3142** and is awaiting imposition or execution of sentence be detained unless—

(A) (i) the judicial officer finds there is a substantial likelihood that a motion for acquittal or new trial will be granted; or

(ii) an attorney for the Government has recommended that no sentence of imprisonment be imposed on the person; **and**

(B) the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to any other person or the community.

3. Title 18, United States Code, Section 3142 (f)(1)(C) lists "any offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act."

4. Defendant's plea of guilty to a violation of Title 21, U.S.C., Sections 841(a)(1) involves an offense for which the maximum term of imprisonment is twenty years.

5. The Government is recommending a sentence of imprisonment.

6. Because defendant has pled guilty and the government is not recommending probation, defendant does not fit into any exception that would permit him to remain on bond.

WHEREFORE, the Government respectfully requests that the Court order the defendant to be detained after sentencing.

Respectfully submitted:

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s/Erin Granger  
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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2016, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Lenny Kagan, Esq.  
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s/ Erin Granger  
ERIN GRANGER, 53593MO  
Assistant United States Attorney